

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

Jacquelyn Cordes,)	
)	Court File No.: 10-CV-1344 JMR/FLN
Plaintiff,)	
)	
vs.)	ANSWER TO COMPLAINT
)	
Frederick J. Hanna & Associates, P.C.,)	
)	
Defendant.)	

Defendant Frederick J. Hanna & Associates, P.C. ("Hanna & Associates"), for its Answer to Plaintiff's Complaint, states and alleges:

1. Hanna & Associates denies every allegation in Plaintiff's Complaint except those specifically admitted, qualified or otherwise replied to in this Answer.
2. Hanna & Associates hereby demands a jury trial of any factual issues pursuant to Rule 38 of the Federal Rules of Civil Procedure.

INTRODUCTION

3. Hanna & Associates denies the allegations in paragraph 1 of the Complaint.

JURISDICTION AND VENUE

4. Answering paragraphs 2 and 3 of the Complaint, Hanna & Associates admits that jurisdiction and venue are proper in this Court.

PARTIES

5. Hanna & Associates admits the allegations in paragraph 4 of the Complaint.

6. Answering paragraph 5 of the Complaint, Hanna & Associates admits that it is a foreign professional corporation and law firm that is headquartered in Georgia and does business in Minnesota and that under certain circumstances it may be a "debt collector" as that term is defined in 15 U.S.C. §§ 1692 et seq. Hanna & Associates denies the remaining allegations in paragraph 5.

FACTUAL ALLEGATIONS

7. Hanna & Associates admits the allegations in paragraph 6 of the Complaint.

8. Answering paragraph 7 of the Complaint, Hanna & Associates admits that it was hired to collect the debt incurred by Plaintiff sometime prior to December 1, 2009, but denies that Hanna & Associates owns the debt in any way and therefore denies the remaining allegations in paragraph 7.

9. Hanna & Associates denies the allegations in paragraphs 8, 9, 10, 11, 12, and 13.

10. Answering paragraphs 14 and 15, Hanna & Associates admits that it communicated in writing with Plaintiff in or around February of 2010 but because Plaintiff does not attach the specific letter referred to in these paragraphs, Hanna & Associates denies the remaining allegations in paragraphs 14 and 15.

11. Hanna & Associates denies the allegations in paragraph 16.

TRIAL BY JURY

12. Paragraph 17 of the Complaint does not require a response from Hanna & Associates and therefore none is given.

CAUSE OF ACTION

**COUNT I
VIOLATIONS OF THE FAIR DEBT COLLECTION PRACTICES ACT
15 U.S.C. § 1692 et seq.**

13. Answering paragraph 18, Hanna & Associates incorporates by reference each of the allegations and denials set forth in its answer to paragraphs 1 through 17 of the Complaint.

14. Hanna & Associates denies the allegations in paragraphs 19 and 20.

15. Hanna & Associates denies the allegations in Plaintiff's "prayer for relief" and ad damnum clauses of the Complaint.

AFFIRMATIVE DEFENSES

1. Plaintiff's Complaint fails to state a claim upon which relief can be granted against Hanna & Associates.

2. Hanna & Associates reserves the right to assert additional affirmative defenses as discovery warrants.

WHEREFORE, Hanna & Associates demands that:

1. Plaintiff's Complaint is dismissed with prejudice and without costs.
2. Hanna & Associates be awarded its costs and attorneys' fees.
3. For such other relief as may be justified under the circumstance.

Dated: July 9, 2010.

HINSHAW & CULBERTSON LLP

By: s/ Paulette S. Sarp

Thomas P. Kane, Reg No. 00053491

Paulette S. Sarp, Reg No. 351453

Accenture Tower

333 South Seventh Street

Suite 2000

Minneapolis, MN 55402

Telephone: 612-333-3434

Fax: 612-334-8888

tkane@hinshawlaw.com

psarp@hinshawlaw.com

Attorneys for Defendant Frederick J. Hanna &
Associates, P.C.

ACKNOWLEDGMENT

The undersigned hereby acknowledges that, pursuant to Minn. Stat. § 549.211, sanctions may be awarded to the party or parties against whom the allegations in this pleading are asserted.

s/ Paulette S. Sarp

Paulette S. Sarp